

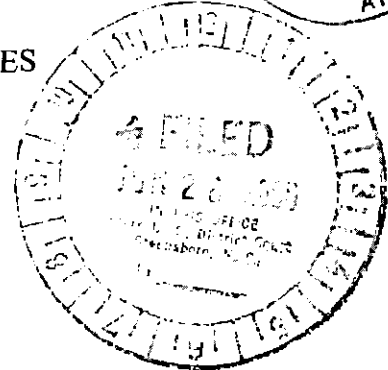
GREG A. SHERMAN-DEBTOR

CASE NUMBER: 1-06 CR 13-3

ANNA MILLS WAGNER-U.S. ATTORNEY-DEBTOR
PAUL A. WEINMAN ASSISTANT U.S. MARSHALL-DEBTOR
U.S. MARSHALL'S OFFICE-DEBTORS
AMERICA, UNITED STATES OF AMERICA, UNITED STATES
Plaintiff

-VS-

Maku:Nanya-Shabbu-EL©TM of the At-Sik-Hata Clan
Of Indigenous Yamassee Native American Moors
Secured Party , Post Master



EMERGENCY Writ of Habeas Corpus/Stay on these facts: (1) Lack of Subject Matter
Jurisdiction, (2) Lack of Due Process and (3) Treaty Violations (Treaty of Friendship)

By: Maku:Nanya-Shaabu:El® by Special Visitation(Special Appearance) [Forsyth County Jail ID # 26690].

Comes Now: Maku:Nanya-Shaabu:El® Sui Juris, by special visitation, who is unschooled in law and asks that the court take Judicial Notice of the enunciation of principles as stated in Haines v. Kerner, 404 U.S. 519, wherein the court has directed that those who are unschooled in law making pleading and/or complaints shall have the court look to the substance of the pleadings rather than the form, including the related documents attached therein, the “Emergency: Writ of Habeas Corpus” in the above-referenced case.

Third-party and secured party Maku/Chief:Nanya-Shabbu:El®, hereinafter, “the Undersigned” petitions the court for an EMERGENCY stay of the proceedings titled “QUITTITLE”, pending outcome of (1) private administrative process initiated in the substantive venue via the Acceptance for Value attached hereto as Exhibit A, wherein the complaint and all claims expressed therewith have been stamped indicating the acceptance; (2) Request by the Undersigned for Plaintiff’s demonstration of proof of claim or proof of loss.

FURTHER the MOTION for Stay provides the time necessary for the Undersigned to follow through with Undersigned's invocation of a Private Administrative Process i.e. Acceptance for Value and tender of instrument (private asset check) for discharge, settlement and closure, negating the need for court-granted relief, since the Undersigned has made a good faith effort by way of Tender Payment for settlement, attached hereto Exhibit A, and B.

The Undersigned intends to tender the undersigned's unintentional dishonor by way of argument, having been cured via the acceptance for value along with tender of discharge (private asset check) for settlement and closure, attached hereto as Exhibit A.

In absence of a controversy by and through the Undersigned moving toward settlement and closure re the Undersigned's good faith Tender of Payment (private asset check), verification supporting Plaintiff's charging instrument and thus, the Emergency Writ of Habeas Corpus grants the Plaintiff enough time to move the court for re-issuance, if the Secured Party [Defendant] fails to accept, return and discharge all charges and or claims. Further, a stay provides the Undersigned adequate time to follow through with the invoked private administrative process, moving for settlement and closure in accordance with the Undersigned's acceptance for value and request for production of proof of claim and or proof of loss, verification and validation.

The EMERGENCY Writ of Habeas Corpus/Stay requests, in addition, that the Court, before proceeding in the absence of a controversy, i.e., in it's ministerial capacity, issue an order for the showing cause to Secured Party [Defendant], as to why the proceedings not be stayed in order that the Secured Party [Defendant] adjust and close the account as a result discharge by and through the Undersigned's Acceptance for Value and Tender of payment in accordance with Public Policy (House Joint Resolution 192 of June 5th, 1933, herein after HJR 192). Failure or refusal to adhere to the order for showing cause could indicate that obstruction of the

Undersigned's Acceptance for Value and Tender of instrument for discharge and settlement
Should the Court determine that no show cause order is necessary, Secured Party [Defendant] can not shift the liability for proceeding in the absence of a controversy, to the court, in it's ministerial capacity , further resulting in a damage to the Undersigned, who has agreed through the Acceptance for Value, and discharge any obligation in accord with Public Policy by and through tender of payment.

The EMERGENCY Writ of Habeas Corpus/Stay also requests that the Court stay of the proceedings pending Plaintiff's acceptance, adjustment of account, and or negotiation of the Undersigned's Discharge Instrument (Private Asset Check) thus enabling the secured Party herein to permanently settle the matter for the transmitting utility/defendant/strawman/accused/party charged, regardless of that entity's non-relation to the Undersigned Secured Party as anything other than a debtor.

The Undersigned has in good faith tendered private asset monies, i.e. exemptions in exchange, in order to end the perpetual increase in liabilities caused by the use of liability instruments, thus permanently closing the account. Said offer also negates the need for public adjudication, as the matter is assured a settlement in the private venue, therefore, eliminates any controversy which might have granted the court in personam jurisdiction. if, arguendo, Secured Party [Defendant] cannot produce evidence to demonstrate or prove of Secured Party's[Defendant's] claim and further, demonstrate that the obligation has not been discharged in accordance with Public Policy (HJR 192) necessary to grant the court in rem jurisdiction.

The EMERGENCY Writ of Habeas Corpus/Stay is justified in the interest of justice, since the Secured Party/Private man is the only one capable of offering and effectuating the permanent resolution. The EMERGENCY Writ of Habeas Corpus/Stay

would encourage an exchange, giving assurance to the alleged debtor, that the account (debt) would be discharged and closed . . .

The Secured Party through the acceptance for value, further moves to settle, adjust, discharge and close the account immediately. All opposition to the EMERGENCY Writ of Habeas Corpus/Stay must emanate from a party with a secured bond in place, and with the commercial energy to draft the Honorable Court, and must provide good cause to perpetuate the liability system which forms the bases for all charges, lest an involuntary servitude scenario raise it's ugly head. Frivolous oppositions to the EMERGENCY Writ of Habeas Corpus/Stay , the Outcome of the Private Administrative Procedure, i.e., the Acceptance and Return for Discharge/Settlement, the Result of an Order for Showing Causes (should the court desire to protect its integrity), or, the Secured Party [Defendant's non-endorsement and non-presentment of the Undersigned's discharge instrument (private asset check) tendered for Permanent Settlement must be construed as intentional impediments to honorable settlement, regardless of the nature of the debt of the debtor, especially if evidence of dishonor by any party obligated to perform under the obligation of the discharge instrument (private asset check) tendered for settlement. Extinguishment of the underlying basis for 'charges' should be the goal of all parties to all lawsuits or 'charges', and result in harmony instead of antagonism.

EMERGENCY Writ of Habeas Corpus/Stay is predicted upon newly-discovered evidence (1) that breaking the presumption that (a) the Undersigned is NOT surety for the 'debtor/strawman, Therefore, the EMERGENCY Writ of Habeas Corpus/Stay is justified in the interest of justice, and the pending actions in the private venue, produces evidence of the "True Original" agreement and "Note" of the parties, in order that the acceptance for value and return for discharge/settlement may result in full settlement and closure.

May 29, 2006

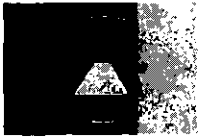
Respectfully submitted,

For : Maku[Nanya-Shaabu:El]®

of the At-Sik-Hata Clan of Indigenous Yamassee Native American Moors

Secured Party , Post Master

By :Diani-Bey:El © TM :Diani - Bey : El © TM
Autograph



GREG A. SHERMAN-DEBTOR
ANNA MILLS WAGNER U.S. MASHALL-DEBTOR
PAUL A. WEINMAN ASSISTANT U.S. MASHALL-DEBTOR
FBI-DEBTOR
STATE OF NORTH CAROLINA-DEBTOR
HOMELAND SECURITY -DEBTOR
AMERICA, UNITED STATES OF AMERICA- DEBTOR
UNITED STATES-DEBTOR

Case No. 1:06-cr-171-3
Hon:
WRIT OF PRAECIPE TO
THE CLERK

Plaintiff

-VS-

NANYA SHAABU EL©TM, SUI JURIS,
BY: Maku[:Nanya-Shaabu:El@
SPECIAL APPEARANCE AND IN
PROPRIA PERSONA AND IN PROTEST

Defendant

WRITTEN OBJECTIVES BY THE DEFENDANT Maku[:Nanya-Shaabu:El@ (A SOVERIGN
MOOR)-TO-ANY FURTHER WRITTEN COURT ORDERS, MOTIONS HEARING, SHOW
CAUSE HEARINGS, JUDICIAL RULINGS OR WRITTEN OPINIONS IN THIS CIVIL
CRIMINAL ACTION IN VIOLATION OF THE SUPREMACY CLAUSE OF U.S.
CONSTITUTION BECAUSE JUDGE IS NOT A JUDGE ACCORDING TO IT. AND
JUDGE of District Court IS IN VIOLATION OF ARTICLE VI OF THE
CONSTITUTION BECAUSE HE HAS NOT PUT HIS OATH ON THE RECORD AND IN THE CASE FILE
JUDGE of District Court IS IN VIOLATION OF THE TREATY OF PEACE AND FRIENDSHIP
244-1 DUE TO THE AFOREMENTIONED THINGS JUDGE of District Court AND THIS
_____ COUNTY CIRCUIT COURT, "LACK SUBJECT MATTER
JURISDICTION" AT ALL. NOW Maku[:Nanya-Shaabu:El@ ASK THAT THIS CASE BE
ABATED.

GREETINGS:

You are hereby respectfully ordered by the ancient writ if prapice to file, preserve and make known the following instruments submitted to you on this 10th day of June, 2006.

1. Motion for Dismissal For Lack of Subject Matter Jurisdiction.
2. Proposed Order.

I have enclosed an extra copy of each instrument for the court and a postage paid SASE envelope with an extra copy of these instruments for you to time and stamp and return to me.

For: Maku [:Nanya-Shaabu:EI]©®™
UCC 1-207 , Without Prejudice , With Power of Attorney-In-Fact

By: :Diani-Bey:EI ©™
O.C.G.A. 11-1-207, Without Prejudice
With Power of Attorney-In-Fact

June 10, 2006
Date

Please take Judicial Notice that Maku [:Nanya-Shaabu:EI]® is a Sovereign Moor, of the Moorish Empire and under Article III, VI, THE BILL OF RIGHTS, and THE Treaty of Peace and Friendship # 224-1 of 1787 ONLY. He in not a 13th, or 14th Amendment U.S. OR FORSYTH County nor City Of HAVE WINSTON-SALEM CITIZEN. Before you proceed and further, we require the Judge

RUSSELL ELIASON and the attorney for the District Court or prosecutor put the things on record and in case file with the clerk of court. (1) Produce the legislative act and implementing regulations that precipitated this cause. (2) Produce the legislative act that created the office of lawyer, attorney, counselor, esquire and made him/her an officer of the court. (3) Please produce a copy of your oath of office as an officer of the court and where you filed it into public record. (4) Please produce the contract signed by myself, proper name of the living soul, and you (the attorney or prosecutor/judge), in which I agreed to give up my constitutional rights and a copy of everybody's licenses to practice law. (5) Please give me your status (what country are you from and do we have a treaty), give me your name as officer of the court and where you filed it into public record. (6) Please send to me an acknowledgement that you understand that you have perjured your oath of office and are committing constructive treason against the Constitution and my Treaty. Under what flag is your venue and jurisdiction obtained. The Supremacy Clause says that STATE OF NORTH CAROLINA doesn't have Subject Matter Jurisdiction, and the Judge must be an Article III JUDGE who has an oath to uphold the U.S. Constitution. And every treaty which was made and shall be made. Defendant Maku[:Nanya-Shaabu:El]® "objects to – any- further written orders, Motions, Hearings, Evidentiary Hearings, Judicial Rulings – or – any written Opinions issued by Forsyth County District Court in this Criminal Action – based upon this Forsyth County District Court's "LACK OF Subject Matter Jurisdiction" – due – to jurisdiction being vested in the Federal Court AND THE Article III Judge, which is a crime under Title 18 USC criminal code, criminal charges will be filed in Federal Court. Judicial Rulings and issuing any written Orders – because "jurisdiction" is vested in the Federal Court U.S. CONSTITUTION ARTICLES III, VI AND THE SUPREMACY CLAUSE, Pre-Emption Doctrine. (U.S. CONSTITUTION ARTICLE VI, CLAUSE 2). TREATY – IS SUPREME LAW – VIOLATION OF TREATY PUT INTERNATIONAL LAW (Diggs vs Schultz, 470 F2d 461). **Bernal vs Fainter,**

467 U.S. 216 (1984). Foley vs Connelie 413 U.S. 291 (1978). Examining Board vs Flores de Otero, 426 U.S. 572 (1976). In RE Griffiths, 435 U.S. 717 (1973). Sugarman vs Dougall 413 U.S. 634 (1973). TRUAX VS Raich, 239 U.S. 33 (1915). Yick Wo vs Hopkins, 118 U.S. 356 (1886). Holding By United States vs Verdiego – Urquidez, 494 U.S. 259 (1990) I.R.S. CODE SECTION 7852(D)(1). Secured Party[Defendant], Post Master Maku[:Nanya-Shaabu:El]® “objects” and now asset that Forsyth County District Court from any further judicial action – because the Forsyth County District Court – Lack Subject Matter Jurisdiction and has no Judicial Power to Act and can not exercise “Jurisdiction”. See, Luscombe vs Shedd’s Food Produces Company, 212 Mich. App. 537, 539 NW 2d 210 (1995); Fox vs Univ. of Michigan Board of Regents, 375 Mich. 238, at 242, 134 NW. 2d 146 (1965); Lehman vs Lehman, 312 Mich. 102, at 19 NW 2d 502 (1945) In Re Waite, 188 Mich. App. 189, at 196-197, 200; 468 N.W.2d 912 (1991) In Re Hatcher, 443 Mich. 426, at 439, 505 N.W. 2d 834 (1993).

RELIEF SOUGHT

Secured Party [Defendant] Maku[:Nanya-Shaabu:El]® I move this court an appearance by foreign state does not confer personal jurisdiction when it does not other wise exist under 28 U.S.C. §§ 1605-1607. 28 U.S.C. § 1330 (c) Pursuant to rule 12(b) of the Federal Rules of Civil Procedure for and Order dismissing Plaintiff’s Complaint on the ground of Lack of Subject Matter Jurisdiction, that this Secured Party [Defendant] be awarded its costs, reasonable attorney’s fees, and any other and further relief as this Court may deem just and proper. If dismissal is not granted, I move the court for discovery because in the interest of justice there are some facts that need to be brought out to help the Secured Party [Defendant] proves his case. I also request deposition and interrogatories during the discovery phase. The US Marshall’s office seized all of my documents and has not returned the documents to me so that I may prepare for trial. Therefore, I demand that all my documents be

returned to me immediately.

JURISDICTION

1. Once jurisdiction is challenged, the court cannot proceed when it clearly appears that the court lack Subject Matter Jurisdiction, the court has no authority to reach merits, but, rather, should dismiss the action. **Melo v. US**, 505 F2d 1026.
2. “ There is no discretion to ignore the lack of Subject Matter Jurisdiction. **“Joyce v. US**, 474 F2d 215.
3. The burden shifts to the court to prove jurisdiction, **“Rosemond vs. Lambert**, 469 F2d 416.
4. “Court must prove on the record, all jurisdiction facts related to the jurisdiction asserted, **“Lantana v. Hooper**, 102 E2d 188; **Chicago v. New York**, 37 F Supp 150.
5. “A universal principle as old as the law is that a proceedings of a court without jurisdiction are a nullity and its judgment therein without effect either on person or property. **Norwood v. Renfield**, 34 C 329; **Ex parte Giambonini**, 49 P. 732.
6. Jurisdiction is fundamental and a judgment rendered by a court that does not have jurisdiction to hear is void ab inito. **“In Re Application of Watt**, 300 P, 132; **Re Cavitt**, 118 P2d 846.
7. “Thus, where a judicial tribunal has not jurisdiction of the subject matter on which it assumes to act, its proceedings are absolutely void in the fullest sense of the term. **“Dillion v. Dillion**, 187 P 27.
8. “A court has no jurisdiction to determine its own jurisdiction, for a basic issue in any case before a tribunal is its power to act, and a court must have the authority to decide that question in the first instance. **“Rescue Army v. Municipal Court of Los Angeles**, 171 P2d 8; 331 US 549, 91 L.Ed 1666, 67 S. Ct. 1409.
9. “A departure by the court from those recognized and established requirements of law, however

- close apparent adherence to mere form in method of procedure, which has the effect of depriving one of a constitutional right, is an excess of jurisdiction. **“Wuest v. Wuest,** 127 P2d 934-937.
10. “Where a court failed to observe safeguards, it amounts to denial of due process of law, court is deprived of juris. **“Merritt v. Hunter, C.A. Kansas,** 170 F2d 739.
11. “The law required proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings. **“Hagans v. Lavine** 415 U.S. 533.
12. “A court cannot confer jurisdiction where none exist and cannot make a void proceeding valid. It is clear and well established law that a void order can be challenged in any court”. **OLD WAYNE MUT.L. ASSOC. V. McDONOUGH,** 204U.S. 8, 27 S. Ct 236 (1907).
13. “The law provides that once State and Federal Jurisdiction has been challenged, it must be proven. **“100 S. Ct. 2502 (1980).**
14. “Jurisdiction can be challenged at any time. **“Basso v. Utah Power & Light Co.**495 F2d 906, 910.
15. “Once challenged , jurisdiction cannot be assumed, it must prove to exist. **:Stuck v. Medical Examiners,** 94 2d 751 211 P2d 389.
16. “Jurisdiction, once challenged, cannot be assumed and must be decided, **“Maine v. Thiboutot,** 100 S. Ct. 250.
17. “An action by Department of Motor Vehicles, whether direct or through a court sitting administratively as the hearing officer must be clearly defined in the statue before it has subject matter jurisdiction, without such jurisdiction of the licensee, acts of the agency, by its employees, agents, hearing officer are null and void. **“Doolan v. Carr,** 125 US 618; **City v. Person,** 181 Cal.640.
18. “When acting to enforce a statue and its subsequent amendments to the present date, the judge of the District court is acting as an administrative officer and not in the judicial capacity’. **Thompson**

v. Smith, 154 SE 583.

19. "A judge ceases to sit as a judicial officer because the governing principal of administrative law provides that courts are prohibited from substituting their evidence, testimony, record arguments, and rationale for that of the agency. Additionally, courts are prohibited from even listening to or hearing arguments, presentation, or rationale. **"ASIS v. US**, 568 F2d 264.
20. "Ministerial officers are incompetent to receive grants of judicial power from the legislative, their acts in attempting to exercise such powers are necessarily nullities. **"Burns v. Sup. Ct.** SF 140 Cal.1 .
21. "The elementary doctrine that the constitutionality of a legislative act is open to attack only by persons whose rights are affected thereby, applies to statute relating to administrative agencies, the validity of which may not be called into question in the absence of showing of substantial harm, actual or impending or a legally protected interest directly resulting from the enforcement of the statute. **"Board of Trade v. Olson, 262 US ALR 2d 1051.**
22. When a judge knows that he lacks Subject Matter Jurisdiction, judicial immunity is lost, **Ranklin v. Howard**, (1980) 633 F.2d 844, cert den. **Zeller v. Rankin**, 101 S. Ct. 2020, 451 U.S. 326.
23. "Statement of counsel in brief or in argument are not facts before the court and are therefore insufficient for a favorable ruling against defendant. Motion to dismiss or for summary judgment. **"Trinsey v. Pagliaro**, D.C. Pa. 1964, 229 F. Supp.647.
24. Agency or party sitting for the agency (which would be the judge of District Court), has no authority to enforce or act unless he is acting for compensation. Such an act is highly penal in nature, and should be construed to include anything which is not embraced within its terms. (Where) there is no charge within a complaint that the accused was employed for compensation to do the act complained of or that the act constituted part of a contract. **"Schornig v. Kaiser**, 189

Cal 596.

25. “When acting to enforce a statute and its amendment to the present date, the judge of the District Court is acting as an administrative officer and not in a judicially, but merely minister ally.’

Thompson v. Smith, 154 SE 583.

26. “A judge ceases to sit as a judicial officer because the governing principle of administrative law provides that courts are prohibited from substituting their evidence, testimony, record arguments, and rationale for that of the agency, Courts in administrative issues are prohibited from even listening to or hearing arguments, presentation, or rationale. **“ASIS V. US**, 569 F2D 264.
27. The elementary doctrine that the constitutionality of a legislative act is open to attack only by individuals whose rights are affected thereby, applies to statute relating to administrative agencies, the validity of which may not be called into question in the absence of showing of substantial harm, actual or impending, to a legally protected interest directly resulting from the enforcement of the statute. **“Board of Trade v. Olson**, 262 US 1; 29 ALR 2d 1051.
28. Ministerial officers are incompetent to receive grants of judicial power from the legislature; their acts in attempting to exercise such powers are necessarily nullities. **“Burns v. Sup**, Ct. SF 140 Cal.1 .
29. When a judge knows that he lacks Subject Matter Jurisdiction, or acts in the face of clearly valid statutes expressly deprived him of jurisdiction, judicial immunity is lost. **Ranklin v. Howard**, (1980) 633 F.2d 844, cert den. **Zeller v. Rankin**, 101 S. Ct. 2020, 451 U.S. 326.
30. Statements of counsel in brief or in argument are not facts before the court and are therefore insufficient for a favorable ruling against a motion to dismiss or for summary judgment. **“Trinsey v. Pagiliaro** D.C. Pa. 1964, 229 F. Supp. 647.

Maku[:Nanya-Shaabu:El]®, a Indigenous/Sovereign Moor and a Foreign State 28 USC 1330-1330(a)

petition this court “of necessity” because damage against Plaintiff In Personam and In Rem is actionable under both State and Federal law (26 USC 7214).

Secured Party [Defendant] does not grant this court In Personam jurisdiction and assumes original Article III standing in this action “At Law” pursuant to the 1787 US Constitution, Article III Section 1 (“Division of the Courts”), and Section 2 (“The judicial power shall extend to all cases . . .”). All Treaties with Morocco but per specifically Treaty of Peace and Friendship # 244-1 which impose limitations on State and the Federal Government through Article VI of the U.S. Constitution (**The Supremacy (US Constitution Article VI) and Preemptive Doctrines** can be invoked to invalidate state restrictions that conflict with existing Federal laws (**L. Tribe, American Constitutional Law § 6-25, at 479-81** (2d ed 1988); State Law and the regulations interfering with foreign Sovereigns are challenged. **Bernal –vs- Fainter**, 467 US 216 (1984); **Cabell –vs- Chavez-Salido**, 454 US 432 (1982); **Foley –vs- Connlie**, 435 US 291 (1978); **Examining Board –vs- Flores de Otero**, 426 US 572 (1976); **In re Griffiths**, 413 US 717 (1973); **Sugarman –vs- Dougall**, 413 US 634 (1973); **Truax –vs- Raich**, 239 US 33 (1915); **Yick Wo –vs- Hopkins**, 118 US 356 (1886), holding limited by **United States –vs- Verdugo-Urquidez**, 494 US 259 (1990); US Constitution Article VI, Cl. 2.); **Gibbson –vs- Ogden**, 22US (9Wheat) 1 (1824); **Fidelity Fed Sav & Loan Assn –vs- De La Duesta**, 479 US 130 (1986); **Castle –vs- Hayes Freight Lines**, 348 US 61 (1954); **McDermott –vs- Wisconsin**, 228 US 115 (1913); and the limitations of International laws (Law of Nations), **The International Covenant on Civil and Political Rights (United Nations GA, Res. 2000, XXI U.N. GAOR Sup. Ratified by U.S. Senate 1992 and/or Alien Tort Claims Act of 1789** (codified at 28 USC 1350); **Title 18 USC 3231 grants** original jurisdiction to Federal District courts, exclusive of the States, of all rights by anyone under Color of Law an offence against the courts of the United States. **Title 18 USC 242, 245** – makes violation crime (See) – Act of September 13, 1994, P.L. 103-322.

Wherefore, those State Judges not properly personally, commercially, and judicially bonded to be party to judicial branch processes in compliance with all state and federal law (MCL 15.93; RS 1846) Are abridging and violating the Law; the original Constitution the United States and the State of North Carolina and their constitutional oaths. Secured Party [Defendant] executes this Verified Complaint within the United States of America and without the United States (28 USC 1746(1)) under law for the United States of America[Republic], with explicit reservation of all Sovereign unalienable rights without prejudice (UCC 1-207). Secured Party [Defendant] appears Sui Juris, In Propria Persona, and Sovereign, requesting that three Judges be called together to compromise the Court (28 USC 2284). Secured Party [Defendant] requests and meaningful access to this court for Remedy and Relief entitled to “as a matter of law.” Judicial Review is necessary because –prohibited governmental activity is likely to continue unless curtailed by higher authority. Reference to privately Copyrighted law; court rules; and authorities though citations, imply no waivers or confer foreign authority.

Secured Party [Defendant], Maku[:Nanya-Shaabu:El]®, also petition this court “of right” because In Persona jurisdiction lies within Article III original jurisdiction (1787 US Constitution, Article III) pursuant to the Law of the land (controlling law of a Sovereign State Citizen and Sovereign Moor, no State shall deny equal protection to any person within its borders. (US Const. XIV Amendment, **Johnson –vs- Eisentrager**, 339 US 763, 771 (1950) **Shames –vs- Nebraska**, 323 F. Supp. 1321, 1333 (D. Neb. 1971); **Nyquist –vs- Mauclet**, 432 US 1 (1977)). Secured Party [Defendant], an Indigenous and Sovereign Moor, Natural-Born, Native American (1787 US Constitution, **Article 1, Sec. 2, Clause 3; Art. 2, Sect. 1, Clause 5; Art. 4, Sect. 2; Amendment 13**; Inhibiting a State of the Union under a Republic Form of Government, 1787 US Constitution, Art. 4, Sect. 4) appearing Sui Juris and in Propria Persona with special appearance, having unalienable natural rights and established forever, as protected and incontrovertibly guaranteed within fundamental organic American law (1776

Declaration of Independence; 1777 Articles of confederation; 1787 US Constitution including its Preamble and Bill of Rights; 1787 Northwest Ordinance) and if this is not a Article III Judge and/or Court, then Secured Party [Defendant] demands you to dismiss this case.

CONCLUSION AND DEMAND

We, the Yamassee, Washita, of the Creek Nation, Native American Tribe, are the first federally Recognized tribe in America.

Embassy of Ah-Sik-Hata Clan of Indigenous Yamassee Native American Moor



**Affidavit Statement of Nunc Pro Tunc,
All citation front and back are accepted for value and
taken for value.**



Written Objectives by defendant Maku[:Nanya-Shaabu: El]® ©TM.
Autochthon/Sovereign Yamassee Nuwaubian Moor)

To: Sheriff William Schatzman, Davidson County Sheriff Department, Forsyth County Sheriff and Forsyth County Sheriff Department, U.S. Marshall, GUILFORD and GREENBORO, N.C., the FBI, Jerry Soles, Homeland Security, Mr. Myers and The State of North Carolina

Any further written court orders, motion hearings, show cause hearings, evidence hearing, judicial rulings, or written opinion in this criminal action in violation of the Supremacy clause of the United States Constitution and Forsyth County Jail, Sheriff William Schatzman, All Officers of the Forsyth County Sheriff Department, Clerk of Magistrate Court, Judge of Civil/Magistrate Court in Forsyth County, John Brubaker Clerk of District Court and the FBI are in violation of Article III of the United States Constitution because the judge of the Magistrate Court is not adhering according to it.

Forsyth County, North Carolina Sheriff William Schatzman, All Officers of the Forsyth County Sheriff Department, FBI, Clerk of Magistrate Court, Russell Eliason Judge of Magistrate Court, Clerk of District Court, Mr. Greg A. Sherman, Lt. Marvin Potter in Davidson County, Judge of Greensboro District Court (Greensboro, N.C.) and U.S. Marshall and The U.S. Marshall's Office are in violation of Article VI of the United States Constitution because they have not put their oaths on the record.

Forsyth County, North Carolina Sheriff William Schatzman, All Officers of the Forsyth County Sheriff Department, FBI, Davidson County Sheriff David Grice, Davidson County Sheriff Department, Jerry Soles, Clerk of Magistrate Court, the Judge of Magistrate Court, John Brubaker Clerk of District Court (Greensboro, N.C.), Judge

Russell Eliason, Mr. Greg A. Sherman, Lt. Marvin Potter in Davidson County are in violation of the Treaty of Peace and Friendship # 244-1

To the aforementioned things Sheriff William Schatzman, All Officers of the Forsyth County Sheriff Department, FBI, Homeland Security, Clerk of District Court (Greenboro, N.C.) , Judge Russell Eliason and Judge of District Court in Guilford County and the FORSYTH COUNTY CIRCUIT COURT lack Subject Matter Jurisdiction at all.

Maku/Chief[:Nanya-Sbaabu:El]® ©™ ask that this case be abated.

Please take judicial notice that Maku/Chief [:Nanya-Shaabu: El]® ©™ is a sovereign Moor of the Moorish Empire and under Article III, The Bill of Rights and The Treaty of Peace and Friendship # 244-1 of 1787 only. They are not 13th or 14th Amendment, UNITED STATES or FORSYTH COUNTY CITIZEN. Before you precede any further we require JUDGE(S), ATTORNEYS or PROSECUTOR put the things on the record in the case with the clerk of the court.

1. Producing the legislative act and its implementing regulations that precipitated this cause.
2. Produce the legislative act that created the office of lawyers, attorneys, counselors, and esquires and made him/her an officer of the court.
3. Please produce the contract signed by myself, proper name of the living soul, and you judge/prosecutor in which I agreed to give up my constitutional rights and a copy of every body's license to practice law.
4. Please give me your status, what country you are from and do we have a treaty,
5. Give me your bond number and your bonding company and insurance company's name.
6. Please send me an acknowledgement that you understand that you perjured your oath of office and committing constructive treason against the Constitution and my treaty (Title 18 Statue 951).
7. Under what flag is your venue and jurisdiction obtained?

8. The Supreme Clause says that the STATE OF NORTH CAROLINA doesn't have any jurisdiction.

Based on this GUILFORD COUNTY DISTRICT Court, lack of jurisdiction, due to jurisdiction invested in the Federal Court and the Article III judge and if THE JUDGE OF DISTRICT COURT say or act as a Article III judge which is a crime under Title 18 USC UNITED STATES criminal codes. Criminal charges will be filed in Federal Court. Jurisdiction is vested in Federal Court of the United States Constitution Article (1976). In Re Griffiths, 413 US 717 (1973); Sugarman vs Douglas, 413 US 634 (1973); Truax vs Raich, 239 US (1915); Yeck Wo vs Hopkins 118 US 356 (1886); Holding By US vs Verdiego-Urquidez, 494 US 259 (1990); IRS Code Section 7852 (d) (1). Maku [:Nanya-Shaabu: El]® ©TM, FORSYTH COUNTY COURT does not have subject matter jurisdiction, has no jurisdictional power to act and cannot exercise jurisdiction.

Luscomb vs Shedd's Food Products Company, 212 Michigan, APP 537, 539 NW 2d 210 (1995)

Fax vs University of Michigan Board of Regents 375 Michigan 238, at 242, 134 NW 2d 146 (1965)

Lehman vs Lehman, 312 Michigan 102, at 105, 19 NW 2d 502 (1945)

In Re Waite, 188 Michigan APP 189. at 186-197, 200. , 468 NW 2d 912(1991)

In Re Hatcher . 443 Michigan . 426, at 439, 505 NW 2d 834 (1993).

Nunc Pro Tunc

Attention: This Is A Lawful Notice and Claim Remedy

To: All Public and Private Officials, Unions, Individuals of Forsyth County, Davidson County and Guilford County, North Carolina et al, by and through the Secretary of State and United States.

NOTICE: Ignorance of the real law is no excuse.

NOTICE: take A Moment and read this before you proceed further. This Is For Your Own Protection.

I demand that any letters and or communication that you have for me, you present in writing. **Sign in red ink under the penalty of perjury.** This notice is within the nature of a **Miranda Warning.** Take heed and govern yourself accordingly for the record, on the record, let the record show, if for any reason you do not understand any of these statements, warning, it is incumbent upon you to summon a superior officer or supervisor to explain to you the importance of this presentment (Notice) an obligation with respect for them.

The individual tending this document is an original Autochtons (Indigenous) Native American Moors, a secured parties, a sovereign, private natural persons, not a 14th Amendment Citizen of, nor a subject of, nor owing allegiance to the FEDERAL UNITED STATES, nor any de-facto corporate state contracting thereto, therefore these remedies does not preclude other remedies under Title 42 US, The Ku Klux Klan Act, The Sherman Act, The Clayton Act, The N.L.R.A. LAN DRUM-Griffin Act, Taft Hartley Act, L.R.N.M. Act, Treaty Violations for Hindrance of Commerce, Violation of The Right to Contract, Title 18 USC Criminal Code. R.I.C.O. or State Law, Statues, Rules, Common Law.

Merdock vs Pennsylvania: 319 US 105:

Cobel vs Williams: 457 US 55 . The undersigned never willingly or knowingly gave up basic right to travel. Constitutionally the basic right to travel on the highways, trails, paths, railways and sky is a right not a privilege.

Shuttlesworth vs Alabama: 373 US . 262

Marbury vs Madison: 5 US 1387 (1803)

We do not consent for any search of myself, my family, my name, my home, my car or any of my private property.

We do not wave any at any time any of my rights and protection, and claim that you protect them as you swore an oath to do, your failure timely will leave you in the position of accepting full responsibility, damages, and/or injuries in your actions and the actions of your fellow public officers.

The teams and conditions of the presentment and agreement and quasi contract under U.C.C., the Fair Debt Collection Act, the Foreign Debt Immunities that you might claim, should you violate me or members of my family and /or permit others to do so,

these acts will be deemed **ultra virus**. Willful and gross negligence, the liability is with you and those acting in concert with you, jointly and severely with the cooperation involved.

Billing and Cost Levied Upon Violations

1. Unlawful arrest/kidnapping and illegal arrest without a claim, One Million Dollars/day (\$1,000,000.00/day).
2. Unlawful and/or illegal search and seizure without a claim, One Million Dollars/day (\$1,000,000.00/day).
3. Assault and /or assault & battery without a weapon, One Million Dollars/day (\$1,000,000.00/day).
4. Denial and /or abuse of due process, One Million Dollars/day (\$1,000,000.00/day).
5. Excessive bail, cruel and unusual punishment, violation of right by trial by jury of my peers, freedom of speech, conspiracy, encroachment, abuse of authority, Seven Million Five Hundred Thousand Dollars/day (\$7,500,000.00/day)
6. Denial of assistance of counsel with clean hands and a license, **not a bar card**, failure to identify status, jurisdiction, credential and authority and any treaty between your country or point of origin and The Moorish Empire, Seven Million Five Hundred Thousand Dollars/day (\$7,500,000.00/day).
7. Violation of Copy Right, Five Hundred Thousand Dollars/day (\$750,000.00/day)
8. Violation of Judicial Notice, Five Hundred Thousand Dollars/day (\$500,000.00/day).

Commercial Lien and Title 18 Criminal Charges will be filed against you for any violations.

Note: Judges, if voted in office this is illegal.

I, Nunc Pro Tunc Being Of Hu Are The Creative Force Of Will.

If any man or woman desiring to answer this affidavit, using your Christian or family name for signature, in the presence of a notary taking an oath under penalty of perjury, and mail to the below named address, within 10 days or default will be obtained. The Factual declaration will stand as final judgment in this matter and for the sum certain herein stated will be in full force and effect against all parties, due and **payable and enforceable by law.**

For: Maku [:Nanya-Shaabu:El]©®™

UCC 1-207 , Without Prejudice , With Power of Attorney-In-Fact

By: !Diani-Bey! El ©™
O.C.G.A. 11-1-207, Without Prejudice
With Power of Attorney-In-Fact

June 10, 2006
Date

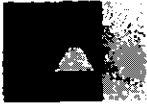
✓ **Produced Identification**

Type and Number of ID # Yamassee Travelre's Card # 9-004

Sworn to and subscribed before me this 10th day of June, 2006

Angela E Adams
Notary

Notary Public, Clayton County, Georgia
My Commission Expires August 28, 2007
My Commission Expires



Legal Notice

If any man or woman desiring to answer this affidavit, please answer in the manner of this affidavit, with notarized affidavit, point for point rebuttal in front of a notary under penalty of perjury, using your Christian or family name for signature, and mail to the below named address, within Three (3)days or default will be obtained. I hereby and herein reserve the right for amending and to make amendments for this document as necessary in order that the truth may be ascertained and proceeding justly determined. Your silence , no response or lack of response in regards to this matter , stands as consent, and tacit approval, for the Factual declarations here being established as a fact in law. This Affidavit by Declaration will stand as final Judgment in this matter; and for the sum certain herein stated and will be in full force and effect against all parties, due and payable and enforceable by law.

Jurat

Atlan, Amexem , Hexian , Earth via Yamassee Native
American/U.N.N.M. Constitution[Clayton , County Georgia ,
u.s.A]

Notice

Using a notary on this document does not constitute and adhesion, nor does it alter my status in any manner. The Purpose for notary is verification and identification only and not for the entrance into any foreign jurisdiction, a benefit for the Europeans, Canaanites, Hyksos, Pagans, Heathens, Settlers, Confederates, Strangers, Goyim, so they whom I pray may become knowledgeable in the truth for the LAW by our holy Father, Asaru in Septet (Sirius) and Sahu (Orion Known as Heaven) and repent, so they will no longer be alienated from their true Deity, Re.

Sworn to and subscribed to before me this 10th day of June, 2006

By: Diana - Bey: El Gm
O.C.G.A 11-1-297, Without Prejudice, With Power of Attorney-In-Fact

Produced Identification

Type and Number ID # **Yamassee Traveler's Card # 9-004**

Angela E. Adams
Public Notary

Notary Public, Clayton County, Georgia
My Commission Expires August 28, 2007

My Commission Expires

Embassy of M-Sik-Hata Clan of Indigenous Yamassee Native American Moors



Certificate of Service

This is for that the foregoing document, Affidavit of Nunc Pro Tunc, Kidnapping of Autochtons, Emergency Writ of Habeas Corpus, Write of Praeipie and Nunc Pro Tunc sent to John Brubaker Clerk of Distric Court; certifying this date of June 9, 2006 Notice sent by John Brubaker Clerk of District Court and Mailed Certified # 7006 0810 0002 28434245 for Maku[Nanya-Shaabu:El]©® TM, Notice to Principal is Notice to Agent , Notice for Agent is Notice for Principal and for all other matters and by notice for all party(s) including any and all competent witnesses with first hand Knowledge, all party other claims pertaining for the Fiction dating back to the it was create.

For: Maku [:Nanya-Shaabu:El] ©® TM

By :Diani-Bey:El ©™

Jurat

Atlan, Amexem , Hexian , Earth via Yamassee Native American/U.N.N.M. Constitution[Clayton, County Georgia , u.s.A]

Notice

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Sworn to and subscribed before me this 10th day of June, 2006

By: :Diani-Bey:El ©™
O.C.G.A. 11-1-207, Without Prejudice, With Power of Attorney-In-Fact

✓ Produced Identification

Type and Number ID # Yamassee Traveler's Card # 9-004

Angela Z Adams
Public Notary

Notary Public, Clayton County, Georgia
My Commission Expires August 28, 2007
My Commission Expires

Embassy of At-Sik-Hata Clan of Yamassee Native American Moors
c/o General Delivery
United States Post Office
Ellenwood, Atlan [Georgia 30294]

John Brubaker Clerk of District Court
201 South Eugene Street
Greensboro, North Carolina

June 10, 2006

Greetings,

Since I have not been able to contact anyone by phone concerning the filing fee . . . I have enclosed \$50.00 and a self addressed stamped envelope. I want the documents ~~filed~~ *Filed* and a copy returned to the Embassy with a date and time stamped on it.

Please notify me if more funds are needed. I enclosed a business envelop for this matter.

Also, I made a request for complete records of all citations, warrants and Grand Jury indictments but realized that I failed submit the \$3.50 fee. There is a separate money order to cover that fee. I previous self address envelope was sent to you concerning this matter.

Thank you for your consideration in this matter.

Embassy of At-Sik-Hata Clan of Yamassee Native American Moors

RECEIVED
In This Office

JUN 28 2006

CLERK, U.S. DISTRICT COURT
GREENSBORO, N.C.

9:50 Am